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Message Text

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PAGE 01 PORT A 02663 302142Z

14
ACTION ARA-10

INFO OCT-01 ISO-00 DHA-02 H-02 L-03 CIAE-00 INR-07 NSAE-00

PM-04 NSC-05 SP-02 SS-15 /051 W
---------- 099137
R 302125Z SEP 76
FM AMEMBASSY PORT AU PRINCE
TO SECSTATE WASHDC PRIORITY 3025

C O N F I D E N T I A L PORT AU PRINCE 2663

EO 11652 GDS
TAGS: SHUM, MASS, HA
SUBJECT: CONGRESSIONAL REQUEST FOR HUMAN RIGHTS STATEMENT:
COMMENT ON DRAFT REPORT

REF: STATE 239763

1. WE CONSIDER DRAFT REPORT ON HUMAN RIGHTS PRACTICES IN HAITI AN ACCURATE AND BALANCED SUMMARY.

2. WE HAVE FOLLOWING SUGGESTIONS DESIGNED TO UPDATE INFORMATION:

(A) IN PARA II, LEGAL SITUATION, PENULTIMATE SENTENCE, REDRAFT AS FOLLOWS: "IN 1975 THE CRIMINAL ASSIZES, SUSPENDED UNDER THE PREVIOUS REGIME, WERE RESUMED AS AN ESTABLISHED ELEMENT IN THE JUDICIAL CALENDAR, AND THE FIRST FORMAL CRIMINAL TRIAL IN YEARS WAS HELD. IN 1976 THE ASSIZES GENERATED CONSIDERABLE PUBLIC INTEREST AND RESULTED IN SEVERAL WIDELY PUBLICIZED ACQUITTALS. IN SEPTEMBER 1976 THE GOVERNMENT RELEASED 261 PRISONERS WHO HAD BEEN HELD UNDER PRE-TRIAL DETENTION FOR AN EXCESSIVE PERIOD OF TIME AND ORDERED THEIR CASES BROUGHT TO TRIAL AT THE NEXT SESSION OF THE ASSIZES. HOWEVER, THERE REMAIN... ."

(B) IN PARA III A, ARTICLE 9, SUGGEST DELETION OF STATEMENT THAT EXILE IS NO LONGER USED AS A PUNISHMENT. EXILE CONTINUES TO BE USED AS PUNISHMENT, WITNESS FATE OF HENRI SICLAIT AND A NUMBER OF REGIE ASSOCIATES, BUT IN
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THIS CASE OF "ILLICIT ENRICHMENT" ON A GRAND SCALE, EXILE

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WAS A MILDER SANCTION THAN CRIMINAL TRIAL WOULD HAVE BEEN.

(C) IN PARA III B, DISCUSSING PRESS FREEDOM, SUGGEST REDRAFT AS FOLLOWS: "THE PRESS EXERCISES SELF-CENSORSHIP, ALTHOUGH IT IS GRADUALLY ACQUIRING A GREATER MARGIN FOR CONSTRUCTIVE CRITICISM OF THE GOVERNMENT'S ADMINISTRATIVE SHORTCOMINGS."
ISHAM

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: MILITARY ASSISTANCE, DISCRIMINATION, HUMAN RIGHTS, LAW, FOREIGN ASSISTANCE
Control Number: n/a
Copy: SINGLE
Draft Date: 30 SEP 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: powellba
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976PORTA02663
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D760369-0357
From: PORT AU PRINCE
Handling Restrictions: n/a
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Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: CONGRESSIONAL REQUEST FOR HUMAN RIGHTS STATEMENT: COMMENT ON DRAFT REPORT
TAGS: SHUM, MASS, HA
To: STATE
Type: TE
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